

17-35b-302 Urban county structural form of county government.

- (1) The structural form of county government known as the "urban county" form retains, without change or modification, except to the extent that changes or modifications may be effectuated under other proceedings authorized by law, all existing incorporated cities and towns, special taxing districts, public authorities, service areas, and other local public entities functioning within the boundaries of the county. Under this form of government, the county remains vested with all powers and duties vested in counties by general law, but in addition is vested with and empowered to exercise within the unincorporated territory of the county all powers and duties which, by general law, are conferred upon cities whose population is equal to that of the unincorporated territory of such county.
- (2) The urban county is empowered to enter into contractual arrangements for the joint exercise of powers or for performance of services and, for that purpose, may employ and be subject to the provisions of Title 11, Chapter 13, Interlocal Cooperation Act. By contract, the urban county may perform for any city, town, special taxing district, public authority, service area, or other local public entity within the county any governmental service or function which such entity is lawfully empowered to perform for itself within its own territory, or which the county is lawfully empowered to perform anywhere within the county boundaries. No contract service or function shall be performed by the county except for a consideration which is at least substantially equal to the cost of performing it.
- (3) The plan for an urban county form of county government may provide for organization of the unincorporated territory of the county into one or more service areas and, for this purpose, may provide for special organizing or implementing procedures which differ from those provided in Title 17B, Chapter 2a, Part 9, Service Area Act. Except to the extent that the plan provides to the contrary, all noncontract services and functions lawfully performed by the county solely within unincorporated territory and not on a countywide basis shall, after the effective date of the plan, be considered performed and extended solely as services of, and financed by and through, the county service area. The plan may provide for, limit, or condition the services and functions which the urban county is authorized to perform and extend within the territory of incorporated cities and towns within the county and may provide procedures by which such provisions, limits, or conditions may be established and changed from time to time.
- (4) The plan for the urban county shall provide for the election of a county council, composed of not less than three members. The council shall be the county legislative body and shall exercise all legislative powers authorized by law. The plan shall specify:
 - (a) whether the members of the council are to be elected from districts, at large, or by a combination of district and at-large constituencies;
 - (b) their qualifications and terms of office, and whether such terms are concurrent or overlapping;
 - (c) grounds for and methods for removal of council members from office;
 - (d) procedures for filling vacancies on the council, provided that the procedures shall conform with Section 20A-1-508; and
 - (e) the compensation, if any, of council members together with procedures for prescribing and changing such compensation from time to time.

Amended by Chapter 329, 2007 General Session